

### REMARKS

In the last Action, restriction was required between claims 1, 2 and 7-9 drawn to a semiconductor device and claims 3-6 drawn to a method of making a semiconductor device. The Examiner stated that the two inventions are patentably distinct from each other, thereby making restriction proper. Applicants were required to elect one of the two inventions for further prosecution in this application.

In response to the restriction requirement, applicants have provisionally elected the invention of Group I drawn to a semiconductor device and submit that claims 1, 2 and 7-9 are readable on the elected invention. The non-elected claims have been retained in the application pending possible withdrawal of the restriction requirement or applicants' decision to pursue the subject matter thereof in a continuing application.

In light of the foregoing, early and favorable  
action on the merits is respectfully requested.

Respectfully submitted,

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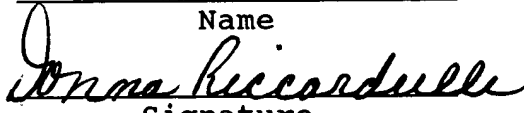
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Donna Riccardulli

Name

  
Signature

OCTOBER 4, 2004

Date